# United States Court of Appeals for the Second Circuit



## APPELLANT'S REPLY BRIEF

## 75-7156

UNITED STATES COURT OF APPEALS

For the Second Circuit

Docket No. 75=7156

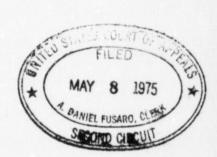


Mildred L. Wiackley.

Plaintiff=Appellant

=against=

Nelson A. Rockefeller,
Abby Rockefeller, Lawrence, David,
and John Rockefeller (III), Mary
Todhunter Clark, Anne Schuyler Cox,
Howard Cox, Edward Finch Cox, Federal
Government of the U.S.



## \_Defendants=Appellees

On Appeal from the United States District
Court for the Southern District of New York.

PLAINTIFF=APPELLANT'S REPLY TO BRIEF FOR DE=
FENDANTS=APPELLEES ALONG WITH PROPOSED ORDER.

MILDRED WIACKLEY (Pro Se)
P. O. B. 82
Peter Stuyvesant Station
New York, N. Y. 10009

#### TABLE OF CONTENTS

Response to Statement of the Issue	PAGE 4
Comment " " Case	4
Point 1	5
Conclusion and Proposed Order	7
Exhibits	Beyond 11

### "TABLE OF AUTHORITIES!

Case: Adickes v. S. H. Kress & co., 398 U. S.

### 144 (1970

Statute: 42 U. S. C. § 1983"

MOTION TO HAVE THIS ABOVE QUOTATIVE STATEMENT DENIED

FROM BRIEF FOR DEFENDANTS=APPELLEES, as there is no
mention of these parties in my complaint, Pre=Argument

Statement, Appendix or Appeal. Moreover, every case is
different and must be disputed on its own merit in the
way that people receive different sentences for same crimes,
example, sedition, one person might receive capital punish=
ment, another life imprisonment. No two cases are identical.

Note: The word "Adickes" to me remainds me of he word

Note: The word "Adickes" to me remainds me of he word
"Addicts" february 1967 mother reported to 5th police Precinct
"Addicts" february 1967 mother reported to 5th police Precinct
robberry of operatment - taken were money and personal effects
items, only one food item- several cans of beens. Appl behind were
herein needley syringe - hareo - 9s in NARCO PUBLICATION
Rublished Gov't Land Digest.

UNITED STATES COURT OF APPEALS

For the Second Circuit

Docket No. 75=7156

Mildred L. Wiackley

Plaintiff=Appellant, =against=

Nelson A. Rockefeller,
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Federal Government of the U.S.,

## Defendants=Appellees

On Appeal from the United States District

Court for the Southern District of New York.

FIRST COMMENT,

on Page 2 of "Brief For Defendants=Appellees,"
Attorneys proceed to inaccurately spell Todhunter,
separating it as two instead of one word, a thing
which could be criminal if it were in reference to the
license of an alleged hit and run driver, and should not
be considered less important in thes case.

Correction, complaint states a claim upon which relief should be granted, consult additional papers, Pre=Argu=ment Statement, Appeal, Appendix, Complaint.

COMMENT TO STATEMENT OF THE CASE. On February 13, 1975, defendants=appellees sought to move for dismissal of the complaint pursuant to F. R. C. P. 12 (b) (6), consult Appendix to the actual communication, and note the date of 28th of February 1975 at 2 o'clock in the afternoon to appear before Judge Whitman Knapp in room where he presides court. QUESTION: Can an appointment be made without knowledge of prior dismissal. Can Attorneys produce the card with notice of entry to verify post date mark an' court date mark? Note the two o'clock as in the Dec. 16, 1974 New Yorker magazine illustration, drawn by Saxon (for this exhibit see Complaint) only ten days after death of Danielle Hunter at age eight residing in New Jersey house number 243 (2) (43) = 86 the age my great grandmother 1947 shortly ofter walking in on thieves ransm sacking her home, the incident upset her so within days she died, residing on Water Street. Maute killed Danielle Hunter, injumbled spells Mu Tea.

On Bebruary 28, 1975 I entered Judge Whitman Knappes chamber and watched cases before me only because I was told

there was a two o'clock appointment before Judge whitman Knapp the the 28th of February 1975. Twenty=eight (28) two things to me, 1) the exact age I am now 2) the exact amount of years from mother's marriage to father in Cleveland, Ohio, date as follows:

Feb. 4, 1946 date parents married.

Feb. 4, 1974 date Patricia Hearst was kidnapped, open, thrown into the trunk of a car, grandmother's maide n name Elfant. She had been with boyfriend Tweed the samp last name as one of the Attorneys representing the Rockesfeller family.

ON PAGE 4 OF BRIEF FOR DEFENDANTS=APPELLEES, quote:
"On February 20, 1975, the Court's order with notice of en=
try was served on Plaintiff+=Appellant == why then did
Attorneys for Rockefeller family on the 13th of February
send me a statement of a meeting to be held before Judge
Whitman Knapp at two o'clock on February 28th 1975?

### POINT I

THE COMPLAINT WAS DISMISSED, PROPERLY, IS A MATTER OF OPINION AND SHOULD BE DENIED FROM BRIEF FOR DEFENDANTS=

APPELLEES on the basis that 48 hours would be impossible to investigate all the material in the complaint for accuracy and or inaccuracy, therefore improperly dismissed in the same way that Todhunter was improperly typed repeatedly as two distinct words when it should have been one.

On page 5 of the Brief For Defendants=Appellees, the DENIED entire page should be XXXXXXXX on the basis that it is redundant, consult Appellix for:

"MEMORANDUM IN SUPPORT OF MOTION TO DISMISS PURSUANT TO RULE 12 (b) (6),"

In which I also gave replt, consult Appendix for:
"MRMORANDUM IN SUPPORT OF NOT DISMISSING COMPLAINT."

The only non=redundant part on Page 5 is the last statement: "Adickes v. S. H. Kress & Co., 398 U. S. 144 (1970)," which should also be denied as my case has now thing to do and is in no way similar for comparison nor has the case of Adickes v. S. H. Kress & Co., been mentioned in my Complaint, nor Premargument Statement, nor Appeal and I'm sure these parties do no share my fingerprints either, but I will show an exhibit pertaining to government and private enterprise, in this reply in the exhibit section.

make it very clear, that a copy of the Appendix was sent by me through registered mail to all the parties required in complaint to receive copies, along with Appendix was sent copy of Appeal also sent to Milbank, Tweed, Hadley, McCloy and therefore the redundancy of their page 5 Brief for Defendants=Appellees to me implys a subtle attempt to ignore contents of Appendix and thereby leaves question of material that I submitted to them with full respect for the law and feel that it should be very clear that what I submitted to the court was equally sent by registered mail to all parties

mentioned in the complaint required to receive such papers. and if attorney's Milbank, Tweed, Hadley, & McCloy would like to be more specific in their redundancy as to claim I never submitted an Appendix I will be happy to begin a civil proceeding in a N. Y. S. Supreme Court for MISREPRESENTATION. submitting copies of my registered receipts for exact amount of postage along with copy of Appeal and Appendix for weighing to reaffirm exact postage before placing myself in a posi= tion where I could be held in contempt. Am submitting three envelopes of unopened contents as exhibits of Appeal and Appendix refused by parties to whom they were addressed which required me to sign receipts upon risk of having material thrown away, both my name and the effect registered mail re= turned to me because parties refused. Am submitting also an exhibit of one process service that did not service papers they were paid to service, indicative of the kind of mob pattern N. Y. Post connected Cox family with.

### CONCLUSION AND PROPOSED ORDER

The United States District Court for the Saathern District of New York did not grant Costs:

ORDERED® United States Court of Appeals go one step fur=
ther by awarding me damages on the basis that my civil rights
have been deprived 42U. S. C. § 1983 submitted immediately
after being hit from behind while in a moving car. It may not
be as affective as some other complaints that can be applied
to my complaint in terms of fines as an example, but nontheless
affective. I felt my life was sufficiently in danger when hit

by a car while in a car and my life is sufficiently in dan=
ger now as you can see from pornographic film solicitation
exhibit submitted in my Appeal, which I offset before hand=
ing ewer to he Post Office on Church Street filling out
three postal forms.

ADJUDGED damages in the amount of ( )

to be decided by court the families of Rockefeller, and Schuy=
ler=Cox, only of those mentioned in Complaint and other papers,
should be required to pay Plaintiff=Apellant.

ORDERED that Warrant of Arrest be issued for refusing to accept Appeal and Appendix sent by Plaintiff=Appellant Were and thereby in defiance of the law, (Complaint was delivered to the office of Howard Cox April 1, 1975 by the U.S. Marshall). To Anne Schuyler Cox, Howard Cox and Edward Finch Cox, for the above reason stated and also because these people refuse to be responsible for their actions and therefore unfit to continue the freedom of private citizen first class. How can I say that I have a post office box and must be responsible for it, and that I cannot live in a fantasy land and accept or refute whatever I feel regardless of the reality of the situation.

ORDERED for Nelson Rockefeller to step down from his

Vice=President position and give answers to the entire incident
that took me to New Jersey and brought me back with a Daily

News headline ovef the death of a girl whose name in German
is my mother's maiden name Fleischer, a trip that took me
under Madison Square Garden while Ronan went betom Rocke=
feller appointments and financial generosity.

As it stands, Patricia Sullivan, last name of forefather of Edward Finch Cox, Samuel Sullivan Cox, nickname "Sunset" allegedly killed by Mr. Nicola, latter part of last name, that of soda.

As it stands, Rosann Ouinn last name of teacher in P.S. 15 when I attended allegedly murder committed by Mr. Wilson, name of a whisky, who unfortunately committed suicide before coming to trial.

As it stands, Miss Levy murdered by alleged "Bill Lacey" turned out to be one gas station operator while sketch of alleged driver matched Edward Finch Cox more accurately.

ORDERED that that these cases be reopened so that fur=
ther investigation might proceed, beginning by questioning
Edward Finch Cox as to his possible presence at time of these
c/imes with documentation to establish whereabouts in the way
of pay check, school attendance, etc.

As is, letter from Wallskill State Prison, N. Y. S. pertaining to Donald Rush who swindled one Lemore Fischer, Fischer being one of the family names of Nicola, the man arrested for the killing. The prison letter exhibit is in the Complaint, the swindling of Lenore Fischer I found out about from the D, A. office in Oueens. At the time I had been swindled out of a juke box I bought to prove annoyance in whatever way I could by Edward Finch Cox whose father=in=law appointed Kenneth Rush to Federal position. The death of Patricia Sullivan at Post College sent Richard Nixon into a hospital and expedited sale of N. Y. penthouse which sale he did not properly record on

his tax returns, one of the things that defeated him in the end and forced him into a resignation because he could not keep his office due to impeachment proceedings at overwhelming odds against him.

Death of Roseann Ouinn, at that same time received a letter, the envelop carried apartment 2D on it, received 2 D's as grades and deposited \$1.00 on January 9 and shortly after received 1.00 cummulative average while that bank had been robbed one month prior. At the same time I received mail order solicitation from MAN/A SETT PUBLICATIONS.

If we can put aside hiding behind a lot of gas I can state with exhibits enclosed F. A. L. N. with ommission of L O is the name of a character in a play I wrote years ago and the name of a street in California with the numbers 1078, (10) for Alexander Hamilton, note Bill Lacey in reference to Levy murader and (78) for Article 78 proceeding I have over a matter perataining to education and rules. Years ago Edward Finch Cox gave me a note in a bar, I was there with a girl I knew for many years from school and he was there with another fellow.

1078 Fallon St. is the address of unsolicited mail containing word P. O. W. E. R. Note that an army arsenal had been robbed of ammunition. Plutonium taken from a nuclear reactor, plutonium is used in nuclear weaponry.

Note that while the U. S. Marshall had not served Com=
plaint/ to Cox family I received unsolicited mail on envelop
it said Port Paye, this had something to do with loose change,
consult slug, one vending exhibit for a juke box, bote F. A. L. N.
note found in telephone booth, nothing more than a slug.

Note Hedley on name of process service receipt as attorney for new service which was to deliver papers pertaining to my article 78 proceeding and did not do so therefore 1 had to off= set additional copies of papers to be served and sent them registered myself.

My civil rights are every bit deprived even now as I am writing the Academy For Home Study extension of the LaSalle University extension has not sent my records. However New York City Community College finally sent a transcript of my grades almost seven weeks later, this is railroading, and only a minor part of the conditions suffered and the cause of my grievance.

Exhibits on following pages.

Dated: May 5, 1975.

Respectfully submitted,

Mildred Wiackley

Pro Se)

P. O. B. 82

Peter Stuyvesant Station

New York, N.Y. 10009

K. Proces Ser Redlook to STATEMENT 409-FULTON ST. BROOKLYN, N. Y. 11201

This ad appears in life us issue outdoor Life

TAX Land in Kansas for back taxes plus \$10.00. Send \$1.00 for lists to Betty Cribheld. 324 N.E. Meadowlark. Particsville, OK 74003.

LOG CARIN &

Government versus private citizen

TAX LAND IN KANSAS FOR BACK TAXES plus \$10.00. Send \$1.00 for lists to: Betty Cribfield. 324 N.E. Meadowlark, Bartlesville, Okla. 74003.

This ad appears in 175 issue of The American Rifkman.

Gov't land payable not to gov't but to private individual. \*

\* Discrepancy in ad

Partlesville

Bartlesville.

There is a little metal here, him cup.
"The Borrowers" P.O.D. Dept
Alexandrine Time inaluralist
private citizen . 1835-1869
Considered wealthrest Dutch
Citizen. My great grandmother's
hame was Augusta born perhaps
the same year A. Tinne was
Murderel August 1, 1869

## Eversional Resources Publishing Company, Inc.

(702) 423-6355

P.O. Box 1078, Fallon, Nevada 89406 9350 Pasture Rd., Fallon, Nevada 89406

My name is Hugh Collier. I am an accountant, auditor and financial consultant. Over the years I have learned something that has changed my life and that of my clients.

When I use the word illusion, I mean just that. I use what is called "eversional resourcefulness" to ceate the situation. E/R is financial slight of hand. Eversion means turning something inside out, making it appear to be just the opposite of what it is. And, using loopholes and taking advantage of financial leverage it is possible for anyone to create the illusion of great wealth in a very short time.

There is an old saying: "It takes money to make money." In todays financial environment it takes only the "illusion of money" to make money. Today, most money is merely a bookkeeping entry. Nothing changes hands but scraps of paper, and that situation makes E/R both possible and plausible.

For example, if you had a neighbor who lived in a \$100,000 home, drove a luxury car, had offices in a high rent building, belonged to the Country Club, and was frequently mentioned in society columns of the newspaper, you would have to believe he was wealthy. It's human nature to judge people by external appearances.

I have had clients who lived just that way, yet when they started, they had fewer real assets than the man who collected their garbage.

So, a person who appears to be wealthy can operate in exactly the same manner as the person who is actually wealthy. He can have opportunities opened up to him that would not otherwise be possible.

By starting out to appear wealthy, he can soon actually become wealthy because money flows to successful people. Others want to invest with you, and have you let them in on your deals, while paupers, no matter how good their ideas are turned away. E/R then, capitalizes on human nature, and human greed.

I can make it possible for you to don the mantle of a millionaire no matter what your present situation, occupation or past history. E/R will enable you to move into a luxury home with no money down, drive a luxury car for which you pay nothing, nable you to walk into a bank and get a \$5,000 signature loan, move in the top financial and social circles of your community at will. In short E/R will give you everything the millionaire has, except the million dollars... and it will even provide the opportunities to get that as well. E/R covers your tracks if necessary; misdirects credit investigations; it will even show you how to disappear and become another person to start over again free of past obligations if necessary.

E/R is not illegal unless it is used with the intent to defraud. It may be immoral to some, but morals are something each person must decide for themselves. For example, the recent dollar devaluation (costing all of us 10% of the value of everything we own) was caused in large measure by American corporations borrowing money from American banks to speculate in the foreign exchange market, making millions for themselves at our expense. Was this immoral, who is to say? Is it immoral for corporations to use every accounting trick in the book to deceive investors about the true worth of a company? Is an individual doing the same thing less moral? Are politicians who lie and cheat and steal to get elected any different than a man pretending to be something he isn't? In short, almost all business is done on illusion. E/R just juggles the books for you instead of a large company.

I am going to give you an example of just how POWER works in practice. I had a client who worked in a Nevada Casino for less than \$200 a week. She had a tax problem when she came to me. I learned she hated her job, was a fantastic interior decorator, but had no schooling, no degree, no work experience in the field. I put E/R to work. I got her a college degree (it was legal). I built a past work record (it was illusionary), I got her letters of recommendation from actual people, and created an illusion of financial success around her. She applied to a top manufacturer for a \$20,000 a year job. They were so impressed with her credentials and present financial situation, we negotiated her a starting salary of \$30,000. Today she makes \$50,000 working for the same firm. If she had applied as a card dealer, she would have been tossed out the door. Was anyone cheated? Did anyone lose anything? No, E/R provided something she needed, and the company that hired her got what they wanted. Everyone was happy.

I had a very attractive business deal when I was starting out. I tried to interest people in investing in it, and they all turned me down. Then, in desperation (I didn't understand E/R then), I rented an entire building on the cuff, filled it with top quality furniture and fixtures; hired fifteen temporary office girls to fill the desks, and brought in interested investors to look at my E/R prepared balance sheet. I sold 100 franchises in just 21 days. Why? Human nature! They would not buy my word that something was good, only the illusion of success already created by E/R. Incidentially I got \$250,000 in stock of a large corporation who took over that operation. My total cash investment was \$175.

Here is whit POWER can do for you. Raise your standard of living at once to a point where you will never again want for material things. Allow you to move in the top financial and social circles of your area to find the opportunities that will make you a genuine millionaire.

Each of these E/F, techniques is fully explained. You get detailed, step-by-step instructions on how to make them work. The same instructions I gave my clients, and for which they paid me \$100 an hour to hear. When you have this program you have everything you need to start a new lifestyle, and even gain great wealth.

CONTINUED ON BACK PAGE

250 Schermerhorn St.

Brooklyn

42-15 Crescent Street

L.I. City, Queens

"NEVER A PEE"

UPHOLSTERER - Auto Shop, Mont Seev. Good pay, Union benefits. 5 day week. Call (212) 230-5501

WAITRESS/WAITER

PART/TIME

Mon-Fri/11AM-3:30PM

1 year's exp.

For Executive Dining Room

1 Position of the Company of

Post Office was robbet.

Lovered: in Monday May 5, '75

Daily News

Federal Bank

Offering Waiter Position.

Union local leader

(Naltan Mass Jewelry

local has son

who was working as a

waiter during Conn.

bakery Shoot out.

Wife's mailen hamo

Same as Fellow who

shot Gov. Wallace,

Saw name of Nathan Nass several years ago in reference to Burglar Alarm Franchise. Later on denlist in Woodside was robbed of \$500,000 worth of gold Filling. Nathan Nass resides at 60-10 47 have Woodside, N.Y. Queens hele denlist robbery, Jewelry outpit was robbed of \$500,000 afterwards Nelson. Rockefeller supported bill to legalize public purchase of gold.

SEOWL SEOWL

## DAILY DIEWS

15¢

Vol. 56. No. 269

Copr. 1975 New York News Inc.

New York, N.Y. 10017, Monday, May 5, 1975\*

Cloudy, rain, 44-60. Details p. 83

PRINTED MATTER ALT ST. -

Molles was born 11 November 1924

Grab 11 Sac

Of Register

Letters, Parc



Note Stamp. This
Solicitation plus others
arrived when U.S. Magual
hal not delivered Complaint
to Cox Family.
He did on 4-1-75.

POSTAGE PAID IN HONG KONG

FREE

**Bonus Gift** 

MILDRED WIACKLEY
PO BX 82 P STUYVESNT STA



While Wackley

To whom this may concern:

This notarized statement is to certify that I mailed
"PLAINTIFF=APPELLANT'S REPLY TO BRIEF FOR
DEFENDANTS=APPELLEES ALONG WITH PROPOSED ORDER"

to the following persons:

Nelson A Rockefeller, Abby Rockefeller, David Rockefeller,
Lawrence Rockefeller, John Rockefeller (III), Mary Todhunter
Clark, these six parties were mailed reply by registered
mail addressed to 30 Rockefeller Plaza, N.Y.C. 10020.

Anne Schuyler Cox, Howard Cox, Edward Finch Cox, these
three parties were mailed reply by registered mail to
12 E. 41 St. N.Y.C. 10020.

Paul Curran U.S. S.D. N. Y. U. S. Courthouse, Foley Square, New York, N.Y. 10007 received one copy.

U. S. Attorney General (Mr. Levy) 26 Federal Plaza, N.Y.C. 10007 received two copies. (Justice Dept) Correction | St. Andrews Plaza | From Dept | (Rm 84) I believe)

Milbank, Tweed, Hadley & McCloy, 1 Chase Manhatten Plaza,
New York, N.Y. 100005 sent one copy.

agaet Stope

notary public

RAFAEL ORTEGA
NOTARY PUBLIC, STATE OF NEW YORK
No. 31-2234175
Qualified in New York County
Commission Expires March 30, 19 76



#### NOTICE OF ENTRY

Sir:-Please take notice that the within is a (certified) true copy of a

duly entered in the office of the clerk of the within named court on 19

Dated,

Yours, etc.,

Attorney for

Office and Post Office Address

To

Attorney(s) for

NOTICE OF SETTLEMENT

Sir: - Please take notice that an order

of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court, at

19

on the

day of

at M.

Dated,

Yours, etc.,

Attorney for

Office and Post Office Address

To

Attorney(s) for

Index No. 7156

4. S. Court of Appeals

Second Circuit

Foley Square, N. 4.

Mildred Wiackley,

Plaintiff. Appellant

- against
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Clark, Anne Schuyler Cox.

Howard Cox, Edward Finch Cox

PLAINTIFF - APPELLANT'S REPLY TO BRIEF FOR DEFENDANTS - APPELLEES ALONG WITH PROPOSED ORDER

Mildred Wiackley

Pro Se Attorney for

Office and Post Office Address, Telephone

Federal Govt of the U.S.

Peter Stuyusant Station New York, N.Y. 10009

To

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

1500-©1973, JULIUS BLUMBERG, INC., 60 EXCHANGE PLACE, N.Y. 10004